

*Intellectual Property and Technology Related Causes*

Ernie L. Brooks  
James A. Kushman  
David R. Syrowik  
Mark A. Cantor  
Ralph M. Burton  
Robert C. J. Tuttle  
Earl J. LaFontaine  
Ronald M. Nabozny

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John E. Nemazi  
Kevin J. Heint  
William G. Abbatt  
Donald J. Harrington  
John M. Halan  
Jeffrey M. Szuma  
Maria Franek Angileri

Frank A. Angileri  
William G. Conger  
Christopher W. Quinn  
Sangeeta G. Shah  
George R. Mosher  
Frederick M. Ritchie  
John M. Sheridan  
Elizabeth F. Janda

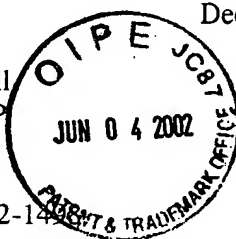
Robert C. Brandenburg  
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Philip Abromats  
Thomas W. Cunningham  
John S. LeRoy  
Anessa Owen Kramer  
Jeremy J. Curcuri

Registered Patent Agents  
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Matthew R. Mowers  
Matthew M. Jakubowski  
Marc Lorelli  
\*Admitted in DC & MD

December 17, 2001

Mr. Joseph W. Hammell  
Dorsey & Whitney LLP  
Pillsbury Center South  
220 South Sixth Street  
Minneapolis, MN 55402-1442

Via Overnight Delivery

**RE: U.S. Patent Application for:  
Storage Technology Corporation  
Invention Disclosure No.: 2001-028-NSC  
Our File No.: STK 01028 PUS**

Dear Mr. Hammell:

Thank you for your letter of December 6, 2001.

In response to the specific inquiries raised in your letter, we disagree with your stated belief that a request to Mr. Kuik to execute a declaration and power of attorney in connection with the above-identified patent application gives rise to a conflict of interest. Indeed, in litigation between StorageTek and Cisco, it has specifically been held to the contrary.

Nevertheless, if Mr. Kuik is uncomfortable executing a combined declaration and power of attorney, the sealed envelope enclosed with this letter contains a declaration without a power of attorney. Please forward this envelope to Mr. Kuik. His execution of this declaration, and the assignment forwarded earlier, would be satisfactory. Once again, the contents of the envelope are StorageTek confidential and proprietary information, which is not to be revealed to anyone other than Mr. Kuik. It is also imperative that Mr. Kuik maintain this information as confidential.

Finally, for his time in reviewing the application, StorageTek is willing to provide Mr. Kuik with the \$1000 associated with the award he would have been eligible to receive from StorageTek had he remained an employee.

We trust the above provisions will be satisfactory. As before, we would appreciate confirmation from you that the enclosed sealed envelope has been forwarded to Mr. Kuik. If we do not receive such confirmation, or if we do not hear from Mr. Kuik by December 21, 2001, we will assume that he has reviewed the application, but has refused to sign the declaration and assignment. We will then take those steps necessary to file the application in the absence of Mr. Kuik's cooperation.

Very Truly Yours,

BROOKS &amp; KUSHMAN P.C.

  
Jeffrey M. Szuma

Enclosures



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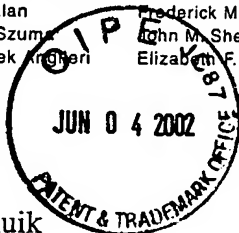
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Marc Lorelli  
\*Admitted in DC & MD



December 17, 2001

Mr. Timothy J. Kuik  
c/o Mr. Joseph W. Hammell  
Dorsey & Whitney LLP  
Pillsbury Center South  
220 South Sixth Street  
Minneapolis, MN 55402-1498

**CONFIDENTIAL**

**RE: U.S. Patent Application for:  
Storage Technology Corporation  
Invention Disclosure No.: 2001-028-NSC  
Our File No.: STK 01028 PUS**

Dear Mr. Kuik:

Further to my letter of December 6, 2001 concerning the above matter, Mr. Hammell has informed us that you may be uncomfortable executing a combined declaration and power of attorney for the patent application. As a result, we have enclosed with this letter a new declaration which does not include a power of attorney. Your execution and return of this declaration in lieu of the previous declaration, together with the assignment forwarded earlier, would be satisfactory.

Once again, this matter is confidential and proprietary information to StorageTek, and is not to be revealed to anyone. It is imperative that you maintain this information as confidential.

As before, if we do not hear from you by December 21, 2001, we will assume that you have reviewed the application, but refuse to sign the declaration and assignment. We will then take those steps necessary to file the application in the absence of your cooperation.

Very Truly Yours,

BROOKS &amp; KUSHMAN P.C.

Jeffrey M. Szuma

Enclosure



## DECLARATION FOR PATENT APPLICATION

Atty. Docket No. 2001-028-NSC  
First Named Inventor Ravi K. Kavuri et al.

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### VIRTUAL VOLUME MANAGEMENT SYSTEM AND METHOD,

the specification of which:

- ☒ is attached hereto; or  
☐ was filed on (MM/DD/YYYY) \_\_\_\_\_ as U.S. Application Number or PCT International Application Number \_\_\_\_\_, and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

<i>Prior Foreign Application Number(s)</i>	<i>Country</i>	<i>Foreign Priority Date (MM/DD/YYYY)</i>	<i>Priority Not Claimed</i>	<i>Certified Copy Attached? (Yes/No)</i>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

<i>Application Number(s)</i>	<i>Filing Date (MM/DD/YYYY)</i>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

<i>Application Number(s)</i>	<i>Filing Date (MM/DD/YYYY)</i>	<i>Status: Patented, Pending, Abandoned</i>

**Declaration for Patent Application (cont'd.)** Atty. Docket No. 2001-028-NSC

Address all correspondence and telephone calls to Timothy R. Schulte  
at Storage Technology Corporation, One StorageTek Drive, MS-4309, Louisville, Colorado 80028-4309, (303) 673-5989.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full Name of Sole or First Inventor** RAVI K. KAVURI

Inventor's signature (See separately executed Declaration attached hereto) Date \_\_\_\_\_

Mailing address 6228 Boxman Path, Inver Grove Heights, MN 55428

Residence (same as above) Citizenship India

**Full Name of Second Joint Inventor** JOHN CHELIKOWSKY

Inventor's signature (See separately executed Declaration attached hereto) Date \_\_\_\_\_

Mailing address 617 6<sup>th</sup> Avenue South, Hopkins, MN 55343

Residence (same as above) Citizenship United States of America

**Full Name of Third Joint Inventor** RENAE M. WEBER

Inventor's signature (See separately executed Declaration attached hereto) Date \_\_\_\_\_

Mailing address 3933 21<sup>st</sup> Avenue South, Minneapolis, MN 55407

Residence (same as above) Citizenship United States of America

**Full Name of Fourth Joint Inventor** TIMOTHY J. KUIK

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Mailing address 743 Country Lakes Drive, Lino Lakes, MN 55014

Residence (same as above) Citizenship United States of America